

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

RANDI LEE ECKHARDT, et al.,

Plaintiffs,

v.

THE CITIZENS NATIONAL BANK OF
BLUFFTON, et al.

Defendants.

1:18-cv-1269 (LMB/TCB)

ORDER

On October 9, 2018 plaintiffs acting pro se, filed a complaint against four defendants alleging a violation of the Americans with Disabilities Act in connection with a mortgage loan. As of January 15, 2019, there is no indication in the docket of any defendant having been served with the complaint. Under Fed. R. Civ. P. 4(m), a complaint must be dismissed if it is not served on the defendant within 90 days of being filed, unless the plaintiff can show good cause for the delay.

In addition to this problem, it appears that the plaintiffs no longer live at the Maryland address provided to the court because mail sent to them at that address on December 13, 2018 was returned as “undeliverable” and when Clerk’s Office staff called plaintiffs at the phone number they had provided, there was no answer, voicemail was unavailable, and the docket sheet reflects “phone disconnected.”

Given the plaintiffs’ failure to serve their complaint and to maintain necessary contact information with the court, it is hereby

ORDERED that this civil action be and is DISMISSED WITHOUT PREJUDICE.

The Clerk is directed to mail a copy of this Order to the plaintiffs at their address of record and close this civil action.

Entered this 16th day of January, 2019.

Alexandria, Virginia

/s/ LMB
Leonie M. Brinkema
United States District Judge